

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

SHAUN ROSIERE,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

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Civil Action No. 16-0341-BRM-TJB

MEMORANDUM ORDER

THIS MATTER is before the Court on Plaintiff Shaun Rosiere’s (“Plaintiff”) Notice of Appeal (ECF No. 63) as to this Court’s Order and Opinion dated October 12, 2017 (ECF Nos. 61 and 62), which included a “motion to proceed on appeal via in forma pauperis” (ECF No. 63 at 1). Plaintiff’s application to proceed *in forma pauperis* states only, “Plaintiff seek [sic] to appeal as a pro se in forma pauperis. If I need to file any additional document related to this case please see case precedent listed below,” which presumably refers to Plaintiff’s inclusion of the following: “Judicial Notice: Pursuant to B. Platsky v. CIA, 953 F. 2d 25, 26 26 [sic] (2d Cir. 1991), “Court errs if court dismisses pro se litigant without instruction of how pleadings are deficient and how to repair pleadings.” (ECF No. 63.)

Plaintiff’s submission fails to provide this Court with any information on which it may make a determination on his *in forma pauperis* application. Accordingly, and for good cause shown,

IT IS on this 25th day of October 2017,

ORDERED that Plaintiff’s motion to proceed *in forma pauperis* is **DENIED WITHOUT PREJUDICE**; and it is further

ORDERED that the Clerk's Office mail to Plaintiff, by regular mail, a blank form application to proceed *in forma pauperis*, and it is further

ORDERED that if Plaintiff wishes to proceed with his appeal, he shall so notify the Court, in writing addressed to the Clerk of the Court, Clarkson S. Fisher Building & U.S. Courthouse, 402 East State Street, Trenton, NJ 08608, within thirty (30) days of the date of entry of this Order; Plaintiff's written notice shall include either: (1) a complete, signed *in forma pauperis* application, or (2) the \$505 filing fee; and it is finally

ORDERED that Plaintiff's failure to timely submit an *in forma pauperis* application or the appropriate filing fee may cause the court of appeals to dismiss Plaintiff's appeal for failure to pay.

/s/ **Brian R. Martinotti**
HON. BRIAN R. MARTINOTTI
UNITED STATES DISTRICT JUDGE